

SENATE BILL REPORT

SHB 1651

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, March 28, 2007
Ways & Means, April 2, 2007

Title: An act relating to boating activities.

Brief Description: Creating the boating activities program.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Fromhold, Alexander, B. Sullivan, Walsh and Simpson).

Brief History: Passed House: 3/12/07, 94-1.

Committee Activity: Natural Resources, Ocean & Recreation: 3/26/07, 3/28/07 [DPA-WM].

Ways & Means: 4/02/07 [DPA(NROR)].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Poulsen, Stevens and Swecker.

Staff: Kim Johnson (786-7346)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Natural Resources, Ocean & Recreation.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Hatfield, Hobbs, Honeyford, Keiser, Kohl-Welles, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Staff: Kirstan Arestad (786-7708)

Background: The State Parks and Recreation Commission (Commission) is required to adopt and enforce recreational boating safety rules consistent with United States Coast Guard regulations. The Commission must also coordinate a statewide program of boating safety education using existing programs, when possible, offered by the United States Power Squadron and the United States Coast Guard Auxiliary.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Interagency Committee for Outdoor Recreation (IAC) administers the Boating Facilities Program. This program provides grants to acquire, develop, and renovate public boating facilities. A Boating Advisory Committee comprised of boating representatives evaluate grant applications and make recommendations to the IAC. The Boating Facilities Program is funded by the unclaimed portion of state motor vehicle fuel taxes paid by recreational watercraft users.

Summary of Substitute Bill: The boating activities account is created. Monies in the account may be spent only after appropriation. Expenditures from the account are limited to the Boating Activities Program and boater needs studies.

A Boating Activities Program is created in the IAC. The IAC must distribute monies appropriated from the boating activities account, after deducting administrative expenses and expenses for related studies, as follows:

- 1) to the State Parks and Recreation Commission for boater-related safety, education, law enforcement activities, and environmental programs, and for county boating safety/law enforcement programs; and
- 2) for grants to public entities and non-profit organizations for the following boating-related uses: improve boating access to water and marine parks, and enhance boating experience, boating safety and education, and boating-related law enforcement activities and environmental programs.

If the amount available for distribution from the boating activities account is less than \$2.5 million dollars in any fiscal year, then 80 percent of the amount available must be distributed to the Commission, and 20 percent must be distributed as grants. Amounts available in excess of \$2.5 million dollars must be distributed by the IAC to either the Commission or through the grant program.

The IAC must establish an application process for the Boating Activities Grants.

The IAC must seek input from a boating activities advisory committee to determine the interests of the boating community and the priorities for distribution of grant monies. IAC may utilize an existing boating issues committee for this purpose.

The IAC is required to conduct a study of boater needs by December 1, 2007, and report the findings back to the Legislature. Part of the initial study must examine the amount of funding that should be provided to the Commission for boating-related law enforcement purposes. The study of boater needs will be updated as necessary.

EFFECT OF CHANGES MADE BY RECOMMENDED AMENDMENT(S) AS PASSED COMMITTEE (Natural Resources, Ocean & Recreation): Port districts are added to the list of public entities that are eligible to receive boating activities program grants.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Natural Resources, Ocean & Recreation): PRO: Boating interest groups are very supportive of this bill and were very involved in its creation. We are the group behind this effort, representing a coalition of boaters and thousands of Washington boaters. We pay an excise tax on boats that currently goes to the General Fund, and no other recreational activity, such as skiers, snowmobiles, or recreational vehicles, pay this tax. These funds should be redirected to the Boating Activities Account to be used for enforcement, water access, and other activities. We want to grow recreational boating and encourage additional boating safety, environmental programs, and access to water; this is a step in the right direction.

County sheriffs are underfunded and local law enforcement needs to share the existing \$2 million annually that they receive with the entire state, no matter how much frontage of water the local jurisdiction includes. For example, San Juan County gets only \$20,000 per year provided; this bill would provide funds based on need for boater education and enforcement.

Washington Department of Fish and Wildlife (WDFW) would like to be added to the bill in the section with the States Parks and Recreation Commission because WDFW is the lead law enforcement agency on the water. We maintain the largest number of boater access ramps in the state and should be included under this bill. Port districts believe that we were left out unintentionally, and we would like to be included as an eligible public entity to receive these grants.

Persons Testifying (Natural Resources, Ocean & Recreation): PRO: Representative Fromhold, prime sponsor; Bill Cumming, San Juan County Sheriff's Office; David Kutz, Ray Schow, Recreational Boating Association of Washington; Steve Greaves, Boating Issues Study Group; Michael Campbell, Northwest Marine Trade Association; Mark Quinn, Steve Sherlock, WDFW; Eric Johnson, Washington Public Ports Association.

Staff Summary of Public Testimony (Ways & Means): PRO: This bill has the full support of stakeholders and has gone through the policy committee. It also provides significant funding for boating and an important study.

Persons Testifying (Ways & Means): PRO: Cliff Webster, NW Marine Trade Association; Ray Schow, Recreational Boating Association of Washington.